

## VOTE NO SB 468

### Admissibility in evidence of seat belt use

**SB 468 is solely about reducing the liability of the wrongdoer - the one who is responsible for causing the crash, & their insurer.**

We're talking about cases where the person injured and not wearing a seat belt is not the negligent party in the accident - the person who runs a stop sign, the drunk that heads the wrong way up a road, they are the negligent party.

But by saying that nonuse of seat belts is admissible, **you are putting the innocent driver and passengers in the position of being responsible for injuries that they would not have received but for the negligence of someone else.** Failure to wear a seat belt IS NOT negligence.

Cases that settle now - where liability is clear, like a negligent driver running a stop sign - will be litigated instead of settled if this bill passes, increasing costs. Will have to litigate whether the victim was somehow negligent for not wearing a seat belt, and if so, how negligent she was - 5%, 10%, 15%, 25%, 51%?

It's not about encouraging seat belt use. There are only 15 states that make nonuse of seatbelts admissible for determination of either negligence or reduction of damages. One third of those states rank below Montana in U.S. Department of transportation figures for seatbelt usage. 60% of the top ten states for seat belt usage are like Montana and do not allow for reduction of damages for nonuse of seat belts. Unlike a primary seat belt law, this punitive bill will not be a publicized notice to the public.

It is about responsibility, the negligent person - the drunk driver - should be fully responsible for the injuries they cause. Vote for your constituents not for insurance companies - Vote NO on SB 468.